IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No. 1269 of 2006
Date of decision: November 16, 2006.

Smt. Surjit Kaur

...**Petitioner(s)**

v.

Vishvjit Khanna & Ors.

...**Respondent(s)**

Present: Shri P.K. Ganga, Advocate for the petitioner.

Shri G.S. Cheema, Sr. Dy. Advocate General, Punjab
for respondents No.1 & 4.

Shri R.N. Raina, Advocate
for respondent No.2.

Shri Kamal Sehgal, Advocate
for respondent No.3.

Surya Kant, J. (Oral)

Replies filed on behalf of respondents No.1 and 2 are taken on record.

The petitioner filed CWP no.944 of 2006, which was disposed of by this Court on 20.1.2006 with a direction to the respondents to take a conscious and cautious decision on the legal notice which had already been served on her behalf. In compliance thereto, the authorities in the Punjab State Cooperative Agricultural Bank Ltd. passed the order dated 27.2.2006 which, according to the petitioner, was not in consonance with the directions issued by this Court.

Consequently, show cause notice was issued to respondent

No.3 as well as Learned State Counsel was asked to get instructions from respondents No.1, 2 and 4.

In compliance thereto, an affidavit has been filed by Mr. Viswajeet Khanna, IAS, Registrar, Cooperative Societies, Punjab as well as Mr. Gurbir Singh Mangat, Managing Director, Punjab State Cooperative Agricultural Bank Ltd.

In his affidavit, respondent No.2 has averred that the petitioner's claim for the payment of arrears of provident fund is untenable for the reason that the deceased had nominated his son, namely, Iqbal Singh, who was paid those arrears on 7.1.1991.

In view of the above stated stand taken by respondent No.2, these proceedings are dropped, with liberty, however, to the petitioner to raise her claim, if any, before an appropriate forum, if so advised.

Disposed of.

Rule discharged.

November 16, 2006. [**Surya Kant**]
kadyan **Judge**